IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Notice of Motion No.4480 of 2006
In
Notice of Motion No.4168 of 2005
In
Appeal No.1141 of 2005
In
Summons For Judgment No.654 of 2004
In
Summary Suit No.1892 of 2004

Sushil Jivanchand Motishaw. .. Appellant (Org.Plaintiff)

Vs.

Smt.Monica Mahesh Patel. .. Respondent (Org.Defendant)

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Ms J.A.Sarkhot i/b R.V.Govilkar for the appellant.

None for the respondent.

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CORAM : R.M.S.KHANDEPARKAR &
DR.D.Y.CHANDRACHUD, JJ

DATED : 2ND FEBRUARY, 2007

P.C.

1. Heard the learned advocate for the appellant. None present for the Respondent, though served.

2. Considering the reasons disclosed in the affidavit in support of the Notice of Motion, the Notice of Motion is allowed and made absolute in terms of prayer clause (a) to the extend it relates to the

Notice of Motion No.4168 of 2005 and save for the bracketed portion. The bracketed portion reads thus:-

"and the Appeal be heard on merits."

3. The Notice of Motion accordingly stands disposed of.

(R.M.S.KHANDEPARKAR, J)

(DR.D.Y.CHANDRACHUD, J)